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State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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OK

August 30, 2002

Mr. Wendell Owen, Mine Manager
Co-Op Mining Co.
P.O. Box 1245
Huntington, Utah 84528

Re: BTCA Area, Co-op Mining Co., Bear Canyon Mine, C/015/025-AM02F, Outgoing File

Dear Mr. Owen:

The above-referenced amendment has been reviewed. There is a deficiency that must be adequately addressed prior to approval. A copy of our Technical Analysis is enclosed for your information. In order for us to continue to process your application, please respond to this deficiency by September 30, 2002.

If you have any questions, please call me at (801) 538-5325 or Mike Suflita at (801) 538-5259.

Sincerely,

Daron R. Haddock

Daron Haddock
Permit Supervisor

an
Enclosure
cc: Price Field Office
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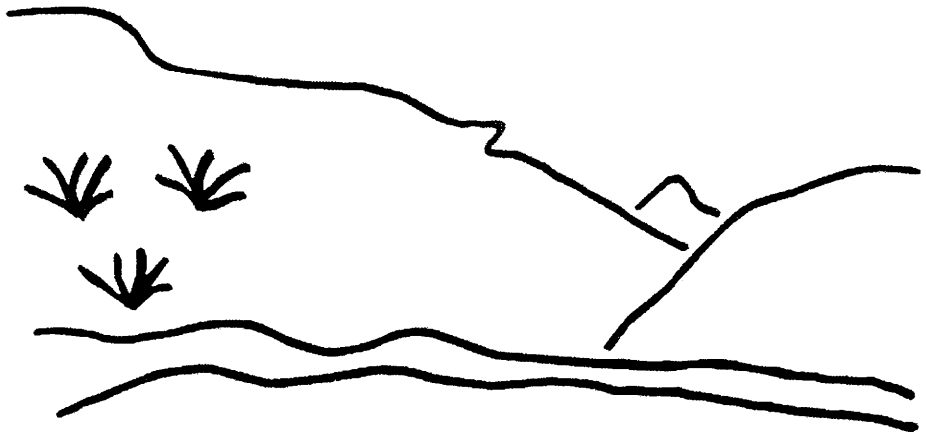
State of Utah



Utah Oil Gas and Mining

Coal Regulatory Program

Bear Canyon Mine
BTCA Area
C/015/025-AM02F
Technical Analysis
August 30, 2002

TECHNICAL ANALYSIS

The Division regulates the Surface Mining Control and Reclamation Act of 1977(SMCRA). When mines submit a Permit Application Package or an amendment to their Mining and Reclamation Plan, the Division reviews the proposal for conformance to the R645-Coal Mining Rules. This Technical Analysis is such a review. Regardless of these analyses, the permittee must comply with the minimum regulatory requirements as established by SMCRA.

Readers of this document must be aware that the regulatory requirements are included by reference. A complete and current copy of these regulations and a copy of the Technical Analysis and Findings Review Guide can be found at http://ogm.utah.gov/coal

This Technical Analysis (TA) is written as part of the permit review process. It documents the Findings that the Division has made to date regarding the application for a permit and is the basis for permitting decisions with regard to the application. The TA is broken down into logical section headings which comprise the necessary components of an application. Each section is analyzed and specific findings are then provided which indicate whether or not the application is in compliance with the requirements.

Often the first technical review of an application finds that the application contains some deficiencies. The deficiencies are discussed in the body of the TA and are identified by a regulatory reference which describes the minimum requirements. In this Technical Analysis we have summarized the deficiencies at the beginning of the document to aid in responding to them. Once all of the deficiencies have been adequately addressed, the TA will be considered final for the permitting action.

It may be that not every topic or regulatory requirement is discussed in this version of the TA. Generally only those sections are analyzed that pertain to a particular permitting action. TA's may have been completed previously and the revised information has not altered the original findings. Those sections that are not discussed in this document are generally considered to be in compliance.

TECHNICAL ANALYSIS

INTRODCUTION

On May 14, 2002 the Division received an amendment to remove artificial silt control measures and only use vegetation in three BTCA areas. This is a review of the amendment and there is one deficiency.

INTRODUCTION

OPERATION PLAN

HYDROLOGIC INFORMATION

Regulatory Reference: 30 CFR Sec. 773.17, 774.13, 784.14, 784.16, 784.29, 817.41, 817.42, 817.43, 817.45, 817.49, 817.56, 817.57; R645-300-140, -300-141, -300-142, -300-143, -300-144, -300-145, -300-146, -300-147, -300-147, -300-148, -301-512, -301-514, -301-521, -301-531, -301-532, -301-533, -301-536, -301-542, -301-720, -301-731, -301-732, -301-733, -301-742, -301-743, -301-750, -301-761, -301-764.

Analysis:

Sediment Control Measures

The amendment proposes to revise BTCA areas C, D, and F to use plant cover as the sediment control method and eliminate all artificial erosion control measures. Justification for this is contained in Attachment A, Vegetation Monitoring for Erosion Control, a report by Mt. Nebo Scientific, Inc. This report details the types of plant species in the BTCA areas and compares them to a reference area. Included are Trees & Shrubs, Forbs, and Grasses for each area. Also included are statistical analyses comparing the areas to the reference area. Basically, the percent cover in areas C, D, and F are greater than the reference area. Also, there is considerable plant diversity in the areas. While the report does a very credible job of justification, a field visit on August 29, 2002 showed there are still problems remaining in Area C. Specifically, the center portion of the area still has deep rills and bare ground between the rills. This condition extends about 60% of the length of Area C, from the bottom up. This is readily apparent when viewed from across the canyon, as compared to from the top of the area as shown in Figure 2 of the report. When considered on overall basis, Area C looks good as presented in the report. However, the bare areas and deep rills are conditions that will only worsen, and they are certainly not as good as the reference area or BTCA areas D, and F. This being the case, BTCA areas D and F can be revised as proposed in the amendment. Area C, however, will need to have considerable handwork and reseeding before that area can be allowed to rely only on plant cover/vegetation for sediment control. The best method of handwork would include importing topsoil to fill the deep rills and rock stops to minimize loss of the topsoil. This is preferred since raking in adjacent soils often leads to future rills and topsoil is a better growth medium than local soils. Increased seed density would also help in this dry environment for plant growth. The Operator is, of course, free to pursue the methods they deem best in correcting the rills and bare areas.

The page, 7O-45 explaining culvert C-36 was not used is acceptable and desirable.

Findings:

The amendment does not meet minimum regulatory requirements. Accordingly, the Permittee must address those deficiencies as found within this Technical Analysis and provide the following, prior to approval, in accordance with the requirements of:

R645-301-752, Area C will need to have considerable handwork and reseeding before that area can be allowed to rely only on plant cover/vegetation for sediment control.